

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Kenneth Baldwin,

Petitioner(s),

vs.

Warden, Madison Correctional Institution,

Respondent(s).

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Case Number: 1:11cv15

Chief Judge Susan J. Dlott

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on January 3, 2012 a Report and Recommendation (Doc. 18). Subsequently, the petitioner filed objections to such Report and Recommendation (Doc. 21).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, the Petition for Writ of Habeas Corpus (Doc. 4) is **DISMISSED** with prejudice. Since reasonable jurists will not disagree with the conclusion, it is **ORDERED** that petitioner is **DENIED** a certificate of appealability. It is further **ORDERED** that the Court certifies to the Sixth Circuit that an appeal of this Order will not be taken in good faith and therefore petitioner may not proceed *in forma pauperis*.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court